



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

August 18, 2022

PASQUALE VISCUSI
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Application **DENIED**. The deadline for Defendant to answer or otherwise respond to the Complaint is extended to **September 22, 2022**. No further extensions will be granted absent extraordinary circumstances. Plaintiff is directed to provide Defendant with the referenced billing records by **September 8, 2022**. By **September 15, 2022**, the parties shall file a joint letter regarding the status of settlement negotiations.

VIA ECF

Hon. Lorna G. Schofield
District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

So Ordered.

Dated: August 22, 2022
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *C.O. et al v. New York City Department of Education*, 22-CV-4507 (LGS)(JW)

Dear Judge Schofield:

I am a Special Assistant Corporation Counsel in the office of the Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for the Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs, and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

I write to respectfully request a 90-day stay of this action. Plaintiff consents to this request. Currently, Defendant's Answer is due August 23, 2022, as well as a joint status letter due that same day. On June 24, 2022, the Court granted in part an initial request to extend Defendant's time to respond to the complaint (ECF No. 8), in hopes that the parties could resolve this action entirely during that period, but relevant billing records have not yet been provided.

We note that this is an IDEA fees-only case and liability is not at issue. The parties will work to resolve this case without need for any conferences or motion practice, and the stay will give Defendant time to complete the City's internal review process and to begin settlement negotiations -- once Plaintiff provides relevant billing records. This office has successfully settled all of the many IDEA fees-only cases brought by Plaintiff's counsel in recent years without burdening the Court with any motion practice (with the exception of one case), and we see no reason why this case will not follow the same course.

Therefore, Defendant respectfully requests that this action be stayed for 90 days following Plaintiff's provision of billing records, and that the parties' joint status letter be due no later than

September 15, 2022 informing the Court that billing records have been provided to Defendant, and that Defendant's internal process is underway.

Thank you for considering these requests.

Respectfully submitted,

A handwritten signature in blue ink, reading "Pasquale Viscusi". The signature is fluid and cursive, with the first name "Pasquale" written in a larger, more prominent script than the last name "Viscusi".

Pasquale Viscusi, Esq. (PV 8588)
Special Assistant Corporation Counsel

cc: Irina Roller, Esq. (via ECF)